CLERK US DISTRICT COURT NORTHERN DIST. OF TX

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF TEXAS AMARILLO DIVISION

2011 SEP 16 AM 11: 19

DEPUTY CLERK____

TYRONE RADALE SHEPARD,

Petitioner,

V.

\$ 2:09-CV-095

RICK THALER,
Director, Texas Department of Criminal Justice,
Correctional Institutions Division,

Respondent.

ORDER OVERRULING OBJECTIONS, <u>ADOPTING REPORT AND RECOMMENDATION</u>, and DENYING PETITION FOR A WRIT OF HABEAS CORPUS

Petitioner has filed with this Court a petition for a writ of habeas corpus. On August 19, 2011, the United States Magistrate Judge issued a Report and Recommendation in this cause, recommending therein that the petition for a writ of habeas corpus be denied. On September 6, 2011, petitioner filed a document entitled "Consent to Proceed Before a Magistrate Judge," in which petitioner appears to contest whether the Magistrate Judge possessed the jurisdiction to issue the Report and Recommendation.

The undersigned United States District Judge has made an independent examination of the record in this case. Petitioner's objections are hereby OVERRULED. The Magistrate Judge's Report and Recommendation is hereby ADOPTED. Accordingly, the petition for a writ of habeas corpus filed by petitioner is DENIED.

IT IS SO ORDERED.

ENTERED this

day of day

_2011.

UNITED STATES DISTRICT JUDGÉ